



THE COMMONWEALTH OF MASSACHUSETTS
WATER RESOURCES COMMISSION
100 CAMBRIDGE STREET, BOSTON MA 02114

Meeting Minutes for May 11, 2017

100 Cambridge Street, Boston, MA, 1:00 p.m.

Members in Attendance:

Vandana Rao, Chair	Designee, Executive Office of Energy and Environmental Affairs (EEA)
Linda Balzotti	Designee, Department of Housing and Community Development (DHCD)
Michele Drury	Designee, Department of Conservation and Recreation (DCR)
Becky Weidman	Designee, Department of Environmental Protection (MassDEP)
Hotze Wijnja	Designee, Department of Agricultural Resources (DAR)
Todd Richards	Designee, Department of Fish and Game (DFG)
Kenneth Weismantel	Public Member

Members Absent

Todd Callaghan	Designee, Massachusetts Office of Coastal Zone Management (CZM)
Thomas Cambareri	Public Member
Raymond Jack	Public Member
Paul Matthews	Public Member
Bob Zimmerman	Public Member

Others in Attendance:

Jennifer Sulla	EEA
Sara Cohen	DCR
Marilyn McCrory	DCR
Erin Graham	DCR
Jennifer Pederson	MWWA
Peter Weiskel	USGS

Rao called the meeting to order at 1:00 p.m.

Agenda Item #1: Executive Director's Report

- Drought Update: The Drought management Task Force (DMTF) met on Tuesday (5/9/17) and reviewed the hydrologic indices and recommended that the drought was over. A few regions are showing a bit below normal precipitation over the previous 12 month period, but this is more of a reflection of what was going on in the summer and fall of 2016. The 12-month precipitation trend appears to be moderated by the precipitation received in the past few months. There has been an upward trend in precipitation since January. A few individual monitoring wells in some parts of the state are still below normal but it is expected that the recent precipitation will help recharge those wells going forward. Overall conditions have improved significantly so the DMTF felt comfortable recommending to the Secretary that conditions have returned to normal.

- Attachment 5 is a letter from Division of Marine Fisheries (DMF) asking to stop receiving copies of flow records, collected as part of the IBT approvals for the Elm Bank, Dedham-Westwood and Canton projects. There is more than 20 years of data on these projects. DMF's receipt of the data is not required under the decisions, but these have been shared at their request. In the future, DMF may request the data from WRC staff.
- IBT regulations: Staff has been working on the response to comments. The WRC will receive a briefing on the comments and responses, and an update on the status of the draft regulations in the near future.
- General Discussion
 - Weismantel stated that Ashland is about to finalize their application to join the MWRA. Can the WRC hold the application until the draft regulations are finalized? Drury responded that if an application is received, it must be reviewed with regulations that are in place at the time of the application. Sulla concurred. Drury added that Ashland had already submitted their application with their draft EIR. Most, but not all the information needed for ITA review was provided. The remaining information should be submitted with the FEIR. There have been informal conversations with Ashland concerning the FEIR/additional information needed. Drury reminded the WRC that the EIR is the IBT application and the WRC cannot go forward with its review until the MEPA process is finalized. Once the Secretary issues the final certificate on the EIR and all additional information has been received, the Commission has 60 days to hold public hearings, and then 60 days after the last public hearing to make a decision.
 - Richards expressed concern about the vote taken at the March meeting. He understood that there is concern about the length of time some processes take, however, he was concerned that a vote at the same meeting where a topic is first introduced, as with the vote on the Cape water needs forecast buffer in March, sets a bad precedent. Many Commission members are actually designees and need to brief their commissioners on the topic to receive direction on how to vote. Being able to report back on the discussion at a commission meeting would better inform this decision. A vote at the same meeting where the topic is first presented and discussed also curtails public input. Rao stated that the Commission gets good feedback from the public and commission members during these discussions. Having a discussion at one meeting and a vote at another is typical, practical and beneficial.
 - Pederson stated that this is National Drinking Water Week and DEP recognized 44 water systems for their exemplary work. She offered congratulations to these water systems. Rao agreed that the work water supply systems do is extremely valuable.

Agenda Item #2: Hydrologic Conditions Report

- Graham provided update on the hydrologic conditions for April 2017. Highlights included:
 - Rainfall: All regions are above normal due to the precipitation received last month.
 - Streamflow: All regions are normal.
 - Groundwater: Levels are recovering significantly. Only the Cape & Islands and the Connecticut River Valley regions have more than one well still below normal.
 - Reservoirs: Levels are mostly normal. Cambridge is a bit below normal, but it has been recovering. Rao stated that the Connecticut River Valley region is at a warning level because Quabbin is slightly below normal. However, this is far from the MWRA's drought levels; it is not really a cause for concern.

- Weiskel noted that the “red dot” on the Ware River was not due to natural conditions but to the MWRA’s diversion.
- Richards stated Department of Fish and Game staff was monitoring rivers and will be able to report on how fish populations were recovering from the drought.

(Hydrologic Conditions Report is available at:

<http://www.mass.gov/eea/agencies/dcr/water-res-protection/water-data-tracking/monthly-water-conditions.html>)

Agenda Item #3: Vote on the Minutes of March 2017

V	A motion was made by Ken Weismantel with a second by Linda Balzotti to approve the meeting minutes for March 9, 2016.
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	The vote to approve was unanimous among those present, with one abstention.

Agenda Item #4: Vote on the Water Resources Commission Annual Report FY2016

Drury stated that this had been discussed at the March WRC meeting. FY16 ran from July 1, 2015 through June 30, 2016. Staff is late in finalizing this report because over the past year, staff time has been taken up with addressing the drought. She asked for any questions and reminded that at the March meeting, there was a question about the “roll-out” of the report. The requirement of Chapter 30 is to file the report with the Secretary of State’s office. It will then be put up on the WRC website and sent to the distribution list. It is a public document so it will be available to anyone requesting it. Rao stated that Matthews had communicated the importance of distributing the Report widely to a large audience, especially to the legislators. She had spoken with him and with the external affairs/legislative staff at EEA. Staff will be working with EEA’s legislative people to explore opportunities to distribute it to the legislators and their staff. Matthews emphasized that this should be sent to Mass Municipal Association and MWWA, as well as to other members of the public to inform them of the Commission’s role and responsibilities.

Minor edits to the report were discussed and agreed upon.

V	A motion was made by Weismantel with a second by Wijnja to approve the Water Resources Commission Annual Report for FY 2016, as amended.
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	The vote was approved unanimously among those present.

Rao stated that the next steps were to file this as required and put it on the website and out to the mailing list, and then work with the EEA legislative staff to distribute it to a wider audience.

Agenda Item #5: Presentation and Discussion: WRC FY18 Work Plan

FY18 begins on July 1, 2017. Staff will continue to work on several on-going projects, including the drought plan update. The recent drought highlighted issues with the existing drought plan, especially with respect to the indices and actions. Staff are part of an interagency work group currently meeting to address these issues and update the plan. Another work item is to finalize and assist in promulgation of the Interbasin Transfer regulations, after which the supporting

guidance material will be updated. In addition to this staff will be conducting pre-application reviews and discussions. Projects may include Union Point, Ashland and North Reading. These latter two projects still need to finalize EIRs and IBT applications. There are also follow-ups on projects that have been approved. The water condition analyses and precipitation programs, and cooperative programs with USGS and the State Geologist's office will continue, as well as updating the water conservation standards. Also in FY18, the three final basins needing water needs forecasts for DEP's WMA permitting program will be completed. As needed, previously issued interim forecasts will be updated. The FY17 Annual Report will be drafted. In addition staff will continue to work with the Northeast River Forecast Center Partner Advisory Board, Drought Management Task Force, State Hazard Mitigation Interagency Committee, Water Management Act Advisory Committee, NEWWA Water Conservation sub-committee as needed.

Pederson asked about the drought plan: it doesn't really reside with the WRC, so why is it on the work plan? Rao replied that Commission staff works on it and it a large portion of staff work load. It also informs the work the Commission does. Cohen stated that the process also informs hydrologic conditions report.

Weismantel asked about lead services and the lack of progress communities have made. How can this process be moved along? Is this part of the WRC's purview? Rao said that this is under DEP's authority, which has done quite a bit to address the issue. MWRA also has a program to assist its communities with replacing lead services. Weidman said the lead and copper rule requires lead service line replacements, but there are implementation issues with private services. The lead and copper rule is very complicated. There is still a lot of work to do but the public water suppliers have been doing a tremendous job complying. Pederson stated that MWWA has filed a bill that will require disclosure upon sale of the property.

Rao stated that a vote on the Work Plan will be requested next month.

Meeting was adjourned at 1:45.

Documents or Exhibits Used at Meeting:

1. WRC Meeting Minutes for March 9, 2017
2. Draft WRC Annual Report FY16
3. WRC FY18 Work Plan
4. Notice regarding Water Needs Forecasts being developed for the Shawsheen River basin
5. Letter from David Pierce (DMF) to Michele Drury (DCR/WRC Staff) regarding DMF review of certain Interbasin Transfer monitoring data & Email response from Vandana Rao
6. Interbasin Transfer Act project status report, April 26,2017

Compiled by: MHD

Agendas and minutes are available on the web site of the Water Resources Commission at www.mass.gov/eea/wrc under "MA Water Resources Commission Meetings." All other meeting documents are available by request to WRC staff at 251 Causeway Street, 8th floor, Boston, MA 02114.